



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 37991-0017

Applicant: Bertrand PAIN et al.

Confirmation No.: 8939

Appl. No.: 10/625,847

Examiner: KAUSHAL, SUMESH

Filing Date: July 24, 2003

Art Unit: 1636

Title: AVIAN CELL LINES USEFUL FOR THE PRODUCTION OF
SUBSTANCES OF INTEREST**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56 and §1.97. A copy of each of the listed documents are being submitted to comply with the provisions of 37 C.F.R. §1.97-1.99.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

RELEVANCE STATEMENT

Applicants are submitting herewith on Form PTO/SB/08A, a listing of the documents cited by or submitted to the Patent Office in co-pending application Serial No. 10/097,245, filed March 15, 2002, and the following related cases: Serial No. 09/392,506 filed September 1, 1999 (now U.S. Patent No. 6,500,668); Serial No. 08/817,671 filed May 12, 1997 (now U.S. Patent No. 6,115,168); 09/854,929 filed May 15, 2001 (abandoned); 09/098,563 filed June 17, 1998 (abandoned). All references cited in the related cases are provided herewith. The relevance of these prior art documents is explained in the parent application.

Reference A19 (Gibco Catalog, Gibco BRL Gaithersburg, MD, pg. 139, 152, 166, 172, 180, 195, and 198) 1992, 1996, was cited by the Examiner in 08/817,671, and is available as part of that file history.

TIMING/FEE

The instant Information Disclosure Statement is being filed in compliance with 37 C.F.R. §1.97(b) before the mailing of a first office action on the merits, therefore, no fee is required in connection with its filing.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,

Date: October 29, 2004

By Patricia D. Granados

HELLER EHRLMAN WHITE & MCAULIFFE LLP
1666 K Street, N.W., Suite 300
Washington, DC 20006
Telephone: (202)
Facsimile: (202) 912-2020

Patricia D. Granados
Attorney for Applicant
Registration No. 33,683
Customer No. 26633

Please type a plus sign (+) inside this box → +

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 3

Complete if Known	
Application Number	10/625,847
Filing Date	July 24, 2003
First Named Inventor	Bertrand PAIN et al.
Group Art Unit	1636
Examiner Name	KAUSHAL, Sumesh
Attorney Docket Number	37991-0017

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A01	5,589,458		Jameson, et al.	12/1996	
	A02	5,453,357		Hogan, Brigid L.M.	09/1995	
	A03	6,114,168		Samarut	09/2000	
	A04	6,500,668		Samarut	12/2002	
	A05	5,162,215		Bosselman	11/1992	
	A06	5,340,740		Petitte	08/1994	
	A07	5,656,479		Petitte	08/1997	

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

2

of

3

Complete if Known

Application Number	10/625,847
Filing Date	July 24, 2003
First Named Inventor	Bertrand PAIN et al.
Group Art Unit	1636
Examiner Name	KAUSHAL, Sumesh

Attorney Docket Number 37991-0017

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	A12	SMITH et al., Medline Abstract No. 87191399, "Buffalo Rat Liver Cells Produce a Diffusible Activity Which Inhibits the Differentiation of Murine Embryonal Carcinoma and Embryonic Stem Cells", Developmental Biology, May 1987, pg. 1-9, Vol. 121, No. 1	
	A13	SLAGER et al., Medline Abstract No. 93365092, "Transforming Growth Factor-Beta in the Early Mouse Embryo: Implications for the Regulation of Muscle Formation and Implantation", Developmental Genetics, 1993, pg. 212-224, Vol. 14, No. 3	
	A14	FRESHNEY, Second Edition, "Culture of Animal Cells: A Manual of Basic Technique", pg. 187-196, Alan R. Liss, Inc., New York	
	A15	TERSTAPPEN et al., "Analysis of Bone Marrow Stem Cell", Blood Cells, 1994 (20): 45-64	
	A16	SEAMARK, R.F., "Progress and Emerging Problems in Livestock Transgenesis: a summary perspective", Reprod. Fertil. Dev., 1994, 6, 653-657	
	A17	MULLINS, L.J. et al., "Perspectives Series: Molecular Medicine in Genetically Engineered Animals", J. Clin. Invest., 1996, (98): S37-S40	
	A18	PAIN et al., "Long-term in vitro culture and characterization of avian embryonic stem cells with multiple morphogenetic potentialities", Development, Vol. 122, pg. 2339-2348, 1996	
	A19	Gibco Catalog, Gibco BRL, Gaithersburg, MD, pages 139, 152, 166, 172, 180, 195 and 198, 1992, 1996	
	A20	CHANG et al., "Production of Germline Chimeric Chickens by Transfer of Cultured Primordial Germ Cells", Cell Bio. International, 1997, Vol. 21, pg 495-499	
	A21	HAYMAN et al., "Self-Renewal and Differentiation of Normal Avian Erythroid Progenitor Cells: Regulatory Roles of the TGF α /c-ErbB and SCF/c-Kit Receptors", 1993, Cell, Vol. 74, pg. 157-169	
	A22	BRADLEY et al., "Modifying the Mouse: Design and Desire", Bio/Technology, May 1992, pg. 534-539, Vol. 10	
	A23	SIMKISS, K., "Transgenic birds", Maclean, N., etd., Animals with Novel Genes, Cambridge University Press, Cambridge, England, NY, NY, 1994, pg. 106-137	

Examiner Signature	Date Considered
--------------------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 3 of 3

Complete if Known

Application Number	10/625,847
Filing Date	July 24, 2003
First Named Inventor	Bertrand PAIN et al.
Group Art Unit	1636
Examiner Name	KAUSHAL, Sumesh

Attorney Docket Number 37991-0017

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	A24	CHANG, I. et al., "Germ Line Chimera Produced by Transfer of Cultured Chick Primordial Germ Cells", Cell Biol. Intern., Vol. 19, No. 7, 1995, pg. 569-576	
	A25	GODIN, I., et al., "Effects of the steel gene product on mouse primordial germ cells in culture", Nature, Vol. 352, 29 August 1991, pg. 807-809	
	A26	Definition of "Murine"	
	A27	GALLI, C., et al., "Embryonic stem cells in farm animals", Zygote 2 (November), pg. 385-389, 1994, Cambridge University Press.	
	A28	SOODEEN-KARAMATH, S., et al., "Apparent absence of cot ¾ from the chick genome", PUBMED Abstract PMID:11139225, Mol Reprod Dev. 2001 Feb; 58(2):137-48	
	A29	GARDNER, R., et al., "Reflections on the biology of embryonic stem (ES) cells", Int. J. Dev. Biol. 41: 235-243 (1997)	
	A30	ZHOU, H.R., et al. "Production of a hybridoma cell line secreting retinoic acid-specific monoclonal antibody", J. Immunol. Methods, Apr. 25, 1991, 138:211-223.	
	A31	DOETSCHMAN, T., "Gene transfer in embryonic stem cells", Pinkert, C.A., ed., "Transgenic animal technology", Academic Press, Inc., San Diego, 1994, pg. 134.	
	A32	TWAL et al., Dev. Biol., Vol. 168, pg. 225-234.	
	A33	SANG, H., "Transgenic chickens - method and potential applications", Trends in Biotechnology, Vol. 12, pp. 415-420 (1994).	
	A34	ETCHES, RJ et al., "Manipulation of blastodermal cells", Poultry Science 76, pp. 1075-1083, 1997.	
	A35	PETITTE, J.N., et al., "Production of somatic and germline chimeras in the chicken by transfer of early blastodermal cells", Development 108, 185-189, 1990.	
	A36	TAJIMA, A., et al., "Production of Germ Line Chimera by transfer of primordial germ cells in the domestic chicken (<i>Gallus domesticus</i>)", Theriogenology Vol. 40, No. 3, pg. 509-519, September 1993.	
	A37	WALL, Theriogenology, Vol. 45, pg. 57-68.	

Examiner Signature	Date Considered
--------------------	-----------------

¹ EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

² Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.